

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

ARJUN IYER, a Minor	)	
By and through his Parent and	)	
Next Friend Rakesh Iyer	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	Civil Action No. 1:22-cv-441
	)	
WALMART INC., et al.	)	
	)	
	)	
Defendants.	)	
	)	

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**HANDY TECHNOLOGIES, INC.'S NOTICE OF REMOVAL**

Defendant Handy Technologies, Inc. ("Handy Technologies") hereby removes this action from the Circuit Court of Loudoun County, Virginia to this, the United States District Court for the Eastern District of Virginia, Alexandria Division, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446 and Federal Rule of Civil Procedure 81(c), and on the following grounds:

1. On or about February 4, 2022, Arjun Iyer, a Minor by and through his Parent and Next Friend Rakesh Iyer ("Plaintiff") filed a Complaint against Walmart Inc. ("Walmart") and Handy Technologies (collectively, "Defendants") in the Circuit Court of Loudoun County, captioned *Arjun Iyer, a Minor by and through his Parent and Next Friend Rakesh Iyer v. Walmart Inc. and Handy Technologies, Inc.*, Case Number CL22000662-00 (the "Complaint").

2. On or about March 21, 2022, Plaintiff served the Summons and Complaint on Defendants, through their agents for service of process.

3. There is jurisdiction over this removed action pursuant to 28 U.S.C. § 1441 because this action originally could have been filed in this Court pursuant to 28 U.S.C. § 1332.

Specifically, this Court has jurisdiction over this action because there is diversity of citizenship between Plaintiff, a citizen of Virginia, and Defendants Handy Technologies and Walmart, each a citizen of other states; the amount in controversy far exceeds \$75,000 exclusive of interests and costs; and all Defendants have consented to removal.

**There Is Complete Diversity Between the Parties**

4. Plaintiff is an individual domiciled in Ashburn, Virginia. (*See* Complaint at 1). As such, Plaintiff is a citizen of Virginia.

5. Handy Technologies is a Delaware corporation with its principal place of business in New York. (*See* Complaint at 1). As such, Hany Technologies is a citizen of Delaware and New York.

6. Walmart is a Delaware corporation with its principal place of business in Arkansas. (*See* Complaint at 1). As such, Walmart is a citizen of Delaware and Arkansas.

7. Thus, there is complete diversity of citizenship among the parties in accordance with 28 U.S.C. 1332(a)(1) & (c) and removal is proper under 28 U.S. § 1441(b).

**The Amount in Controversy Exceeds the Jurisdictional Minimum**

8. The Complaint alleges that Defendants are liable for injures and damages suffered by the Plaintiff. (*See* Complaint at 10).

9. Plaintiff alleges damages in the amount of \$2,000,000, plus pre-judgment interest and costs, which pursuant to 28 U.S.C. 1446(c) easily satisfies the jurisdictional minimum set forth in 28 U.S.C. § 1332(a). (Complaint at 5).

**The Requirements for Removal Are Otherwise Satisfied**

10. Handy Technologies has attached as **Exhibit A** the Civil Cover Sheet for the purpose of initiating the civil docket sheet.

11. In accordance with 28 U.S.C. § 1446(a), 28 U.S.C. § 1447(b), and L.R. 3.2, Handy Technologies has attached as **Exhibit B**, and filed with the Clerk of this Court, true and legible copies of all process, pleadings, and orders on file with the Circuit Court for Loudoun County, Virginia, and a list of all parties to the action.

12. Venue of this removed action is proper under 28 U.S.C. § 1441(a) because this Court is the United States District Court for the district that includes Loudoun County, Virginia where the state court action was pending.

13. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b)(1) because it is filed within thirty days of Handy Technologies' receipt of service of the state court Summons and Complaint.

14. Walmart consents to the removal of this action. Therefore, removal is proper under 28 U.S.C. § 1446(b)(2).

15. In accordance with 28 U.S.C. § 1446(d), Handy Technologies will promptly provide written notice to Plaintiff and will file a copy of this Notice of Removal with the Clerk of the Circuit Court for Loudoun County, Virginia.

WHEREFORE, Defendant Handy Technologies, Inc., by and through its undersigned counsel, respectfully notices the removal of this action now pending against it in the Circuit Court of Loudoun County, Virginia, Case Number CL22000662-00 to the United States District Court for the Eastern District of Virginia, Alexandria Division.

Dated: April 20, 2022

Respectfully submitted,

/s/ Christian A. Yingling

Christian A. Yingling (VSB # 91243)

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on April 20, 2022, a true and accurate copy of the foregoing was electronically filed via the Court's CM/ECF system and further certifies that a copy of the foregoing has also been served via Electronic Mail and Facsimile to:

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/s/ Christian A. Yingling  
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